

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)**

WOJTEK PANAS, as Father and :  
Next Friend of JACOB PANAS, a minor, :  
: Plaintiff, :  
: :  
v. : Case No.: 3:22-cv-633  
: :  
CEDAR FAIR SOTHWEST, INC., : Defendant. :

**NOTICE OF REMOVAL**

Defendant CEDAR FAIR SOUTHWEST, INC. (incorrectly named CEDAR FAIR SOTHWEST, INC.), by and through counsel, hereby gives notice of removal of the above action from the Circuit Court of the County of Hanover, Virginia (“Circuit Court”), to the United States District Court for the Eastern District of Virginia, Richmond Division, pursuant to 28 U.S.C. §§ 1332(a), 1441 and 1446. As set forth below, this Court has original diversity jurisdiction over this action pursuant to Section 28 U.S.C. § 1332. All requirements for removal of this action are met through the allegations contained in the pleadings filed in the Circuit Court and in this Notice of Removal.

In support of this Notice of Removal, Cedar Fair Southwest states as follows:

1. There is pending in the Circuit Court of the County of Hanover, Virginia, a Complaint styled WOJTEK PANAS, as Father and Next Friend of JACOB PANAS, a minor v. Cedar Fair Sothwest, Inc, Case No. CL22-002478 (the “State Court Action”). The Complaint in the State Court Action was filed on or about August 10, 2022. A copy of the Complaint is attached hereto as Exhibit A.

2. Counsel for Cedar Fair Southwest received a copy of the Complaint in the State Court Action on August 27, 2022.

3. Cedar Fair Southwest filed an Answer on or about September 23, 2022 in the Hanover County Circuit Court. To ensure that the Hanover County Circuit Court would accept Cedar Fair Southwest's responsive pleadings, Cedar Fair Southwest requested, and Plaintiff consented to, a stipulation deeming Cedar Fair Southwest's responsive pleadings to be timely filed. A copy of the above referenced responsive pleadings is attached hereto as Exhibit B and signed Consent Order is attached as Exhibit C. No other proceedings or filings have taken place in the State Action.

4. This Notice of Removal is filed within thirty days of the date upon which Cedar Fair Southwest first received a copy of the Complaint and is therefore timely pursuant to 28 U.S.C. § 1446(b).

5. The State Court Action is properly removed under 28 U.S.C. § 1441(a), because the State Court Action is subject to the original jurisdiction of this Court pursuant to 28 U.S.C. § 1332, as explained below.

6. Upon information and belief Wojtek Panas is an individual residing in and a citizen of the State of Virginia.

7. Upon information and belief Jacob Panas is an individual residing in and a citizen of the State of Virginia.

8. Defendant Cedar Fair Southwest is incorporated under the laws of the State of Delaware with its principal place of business in Sandusky, Ohio.

9. Plaintiff's Complaint seeks damages from Cedar Fair Southwest in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00 ) in compensatory damages.

10. This action is properly removed on grounds of diversity jurisdiction because (a) complete diversity of citizenship exists between Plaintiff Woitek Panas and Cedar Fair Southwest, and (b) the amount in controversy herein exceeds the sum or value of \$75,000, exclusive of interest and costs.

11. Written notice of the filing of this Notice of Removal will promptly be given to Plaintiff and the Clerk of the Circuit Court of the County of Hanover, Virginia, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant CEDAR FAIR SOUTHWEST, INC. respectfully requests that this case proceed before this Court as an action properly removed.

/s/ Brian A. Cafritz  
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*Counsel for Cedar Fair Southwest, Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I filed a true and accurate copy of the foregoing Notice of Removal with the Clerk of Court via the CM/ECF System this 23rd day of September, 2022, to, which caused a copy of the same to be sent to:

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GAMMON & GRANGE, P.C.  
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*Counsel for Plaintiff*

/s/ Brian A. Cafritz  
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